

June 15, 1998

MEMORANDUM FOR DISTRIBUTION

SUBJECT: STATEWIDE PERMIT NO. 10 AUTHORIZING ACCESSORY
STRUCTURES AND ADDITIONS TO EXISTING RESIDENTIAL
BUILDINGS

Attached for your information is a copy of Illinois Department of Natural Resources, Office of Water Resources Statewide Permit No. 10, which has been issued to authorize the construction of accessory structures and additions to existing residential buildings in all floodways under the Department's jurisdiction except those in Lake, McHenry, Cook, DuPage, Kane and Will Counties. This permit was issued pursuant to the Rivers, Lakes and Streams Act, 615 ILCS 5 (1996 State Bar Edition).

The referenced Act requires the Department to regulate construction within public bodies of water and within the floodways of streams draining ten (10) square miles or more in rural areas and one (1) square mile or more in urban areas. Among the purposes of the regulatory program are the protection of public interests in the public bodies of water, the preservation of the flood carrying capacity of streams and the prevention of significant increases in potential flood damage. The issuance of Statewide Permit No. 10 represents, in part, the Department's ongoing effort to accomplish these purposes while reducing regulatory costs and burden on the public.

This permit should not be construed or interpreted in any way to authorize construction which would not fully comply with the requirements of the applicable local floodplain ordinance (see special condition #1 of the permit). In particular, the permittee and the local regulatory official are advised to ensure that the proposed accessory structure or addition meets the applicable flood protection requirements. In the case of building additions, this may mean that the entire structure must be elevated. Also, the local official may determine that a particular project would, because of its orientation to flood flows, the geometry of the building site, the extent of other existing development, or other site conditions, create a potentially damaging increase in flood heights or velocities and therefore would not be permissible.

MEMORANDUM FOR DISTRIBUTION CONT'D
Statewide Permit No. 10

-2-

If a proposed addition or accessory structure would meet all of the conditions of Statewide Permit No. 10, it is not necessary to submit an application or plans to the Department. If there is any question of the permissibility of an activity under the permit, the local regulatory official or the Department should be contacted for a determination.

For additional information regarding this permit, or any other aspect of the Office of Water Resources' regulatory program, please feel free to contact the Downstate Regulatory Programs Section in Springfield (217/782-3863) or the Northeastern Illinois Regulatory Programs Section in Schaumburg (847/705-4341).

Attachment

ILLINOIS DEPARTMENT OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
524 SOUTH SECOND STREET
SPRINGFIELD, ILLINOIS 62701-1787

STATEWIDE PERMIT No. 10

AUTHORIZING ACCESSORY STRUCTURES AND
ADDITIONS TO EXISTING RESIDENTIAL BUILDINGS

PURPOSE

The purpose of this Statewide Permit is to authorize accessory structures and additions to existing residential buildings which, by complying with the terms and conditions of this permit, are determined to have insignificant impact on those factors under the jurisdiction of the Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR). It is no longer necessary to submit applications to, or obtain individual permits from, IDNR/OWR for activities complying with this permit. If a project would not meet all of the terms and conditions of this permit, a formal permit application must be submitted.

APPLICABILITY

This permit applies to accessory structures and additions to existing residential buildings in all floodways under the Department's jurisdiction except those in Lake, McHenry, Cook, DuPage, Kane and Will Counties. An accessory structure shall be defined as a non-habitable building such as a tool shed or a garage. This permit does not apply to any project which would conflict with any federal, state, or local project or improvement or with any other rule of the Department.

This permit does not supersede nor relieve any permittee's responsibility to obtain other federal, state or local permits. In particular, the local county or municipal regulatory official should be contacted to ensure compliance with local building requirements.

SPECIAL CONDITIONS

In order for a project to be authorized by this permit, the following special conditions must be met:

1. The accessory structure or building addition must comply with the requirements of the local floodplain ordinance;
2. The principal structure to which the project is being added must have been in existence on the effective date of this permit (July 25, 1988);

3. The accessory structure or addition must not exceed five hundred (500) square feet in size and must not deflect floodwaters onto another's property;
4. The accessory structure or addition must not involve the placement of any fill material;
5. No construction shall be undertaken in, or within fifty (50) feet of the bank of, the stream channel;
6. The accessory structure or addition must be properly anchored to prevent its movement during flood conditions;
7. Only one accessory structure or addition to an existing structure shall be authorized by this permit; plans for any subsequent addition must be submitted to IDNR/OWR for review; and
8. Disturbance of vegetation shall be kept to a minimum during construction to prevent erosion and sedimentation. All disturbed floodway areas shall be seeded or otherwise stabilized upon completion of construction.

GENERAL CONDITIONS OF THE STATEWIDE PERMIT

1. This permit is granted in accordance with the Rivers, Lakes and Streams Act, 615 ILCS 5 (1996 State Bar Edition).
2. This permit does not convey title to any permittee or recognize title of any permittee to any submerged or other lands, and furthermore, does not convey, lease or provide any right or rights of occupancy or use of the public or private property on which the project or any part thereof will be located, or otherwise grant to any permittee any right or interest in or to the property, whether the property is owned or possessed by the State of Illinois or by any private or public party or parties.
3. This permit does not release any permittee from liability for damage to persons or property resulting from any activity covered by this permit and does not authorize any injury to private property or invasion of private rights.

4. This permit does not relieve any permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if any permittee is required by law to obtain approval from any federal or other state agency to do the work, authorization granted by this permit is not effective until the federal and state approvals are obtained.
5. The permittee shall, at the permittee's own expense, remove all temporary piling, cofferdams, false work, and material incidental to the construction of the project, from the floodway in which the work is done. If the permittee fails to remove such structures or materials, the Department may have removal made at the expense of the permittee.
6. This Statewide Permit shall remain in effect until such time as it is modified, suspended, or revoked by the Department of Natural Resources.
7. In issuing this permit, the Department of Natural Resources does not approve the adequacy of the design or structural strength of any structure or improvement authorized by this permit.

This Statewide Permit was issued on July 25, 1988 and last modified or corrected on June 15, 1998.

APPROVED:

Brent Manning, Director
Department of Natural Resources

EXAMINED AND RECOMMENDED:

Martin J. Stralow, Manager
Division of Water Resource Management

APPROVAL RECOMMENDED:

Donald R. Vonnahme, Director
Office of Water Resources